

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

HENRY NICKELL and
LAURA NICKELL,

Plaintiffs,

VS.

BANK OF AMERICA a/k/a
BAC HOME LOANS SERVICING, LP
f/k/a COUNTRYWIDE HOME LOANS
SERVICING, LP, SUNTRUST BANK,
and COMMUNITY MORTGAGE CORP.,

Defendants.

No. 2:11-cv-02006-STA-dkv

STIPULATION OF DISMISSAL OF DEFENDANTS WITH PREJUDICE

Come now Plaintiffs Henry Nickell and Laura Nickell ("Plaintiffs") and Defendants Bank of America, N.A., SunTrust Mortgage, Inc., improperly named as SunTrust Bank, and Community Mortgage Corporation (collectively "Defendants"), by and through their undersigned counsel, and hereby stipulate that Defendants should be and hereby are dismissed from this action with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, with each party to bear its own fees and costs, and that the order entered on same be a final, appealable order. Community Mortgage shall bear any statutory court costs of the Chancery Court of Shelby County, Tennessee from which this action was removed. The Parties further stipulate that the Court may retain jurisdiction of this matter to determine Plaintiff's Motion for Settlement Conference to Determine Attorneys' Fees for Brewer & Barlow, P.C. and related filings which do not involve Defendants.

Respectfully submitted,

s/ Robert F. Tom

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed using the CM/ECF system this 15th day of October, 2012.

s/ Robert F. Tom